Action	Item	7
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SESSION: Regular

## **COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER		DATE	December 17, 2008
MOTOR CARRIER MATTER		DOCKET NO.	2006-92-WS
UTILITIES MATTER	<b>V</b>	ORDER NO.	

## SUBJECT:

DOCKET NO. 2006-92-WS - <u>Application of Carolina Water Service</u>, <u>Incorporated (CWS) for Adjustment of Rates and Charges for the Provision of Water and Sewer Service</u> - Discuss this Matter with the Commission.

## **COMMISSION ACTION:**

DDESIDING: Fleming

In light of the evidence presented by the parties on remand, I move to approve the settlement agreement between Carolina Water Service and the Office of Regulatory Staff. We originally declined to approve the settlement agreement because it failed to address a number of concerns that had been raised by the public and had become apparent to the Commission. At the time, we recognized that it was possible, even likely, that the settlement agreement would have been approved if the parties had provided the information sought by the Commission. On October 1<sup>st</sup>, the parties came back to the Commission with the leave of the Supreme Court and offered witnesses who testified as to each of our concerns, either providing the information requested, or explaining why it was not available. While I believe that our concerns were justified, I also conclude that the company offered satisfactory explanations. I take note of the company's commitment to continue providing the Commission with information about its customer service, capital investments, operations, sewerage backups, and DHEC compliance, in periodic reports, and when it brings subsequent rate cases. With these assurances, and the understanding that the Commission will inquire as to these and other items on an ongoing basis, I believe that we should approve the settlement agreement, and its agreed upon rates and charges.

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				TIME: <u>2:30 p.m</u>	
	MOTION	YES	NO OTHER		
CLYBURN		~			
FLEMING		~			
HAMILTON	~	~			
HOWARD		~			
MITCHELL		<b>~</b>			
WHITFIELD			Not Voting	Commissioner Whitfield was not a member of the Commission at the time of the original hearing	r

WRIGHT		~	
RECORDED BY:	J. Schm	ieding	